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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

10 ANTONIO BRAVO,

| Case No. C07-05518

11 Plaintiff,
vs.

JOINT CASE MANAGEMENT STATEMENT

13 CYBER SOLUTIONS INTERNATIONAL
CORPORATION, PAUL SRIDHAR, and
14 DOES 1 - 10,

15 Defendants.

Plaintiff and Defendant file this Joint Case Management Conference Statement

DESCRIPTION OF THE CASE:

- 1. A brief description of the events underlying the action:**

Plaintiff ANTONIO BRAVO was employed by defendant CYBER SOLUTIONS INTERNATIONAL CORPORATION as a fork lift operator between November 2005 and July 2007. Plaintiff alleges that defendants committed various wage and hour violations during his employment including:

- (a) failure to pay overtime wages (Cal. Labor Code § 510);
 - (b) violations of Fair Labor Standards Act (29 USC § 201 et seq.)
 - (c) failure to pay wages due and waiting time penalties (Cal. Labor Code § 201 and §203)

(d) unfair business practices act (Cal. Bus. & Prof. Code §17200 et seq.)

(e) inadequate pay statements (Cal. Labor Code § 226)

3. 2. The principal factual issues which the parties dispute:

4 (a) The number of hours plaintiff worked

5 (b) Overtime wages paid to plaintiff; and

6 (c) Identity and involvement of defendant Paul Sridhar in plaintiff's

7 employment with defendant Cyber Solutions.

8 3. The principal legal issues which the parties dispute

9 (a) Whether defendants are subject to FLSA;

10 (b) Whether plaintiff was an "exempt" employee;

11 | (c)

12 203; and

13 (d) Whether plaintiff can recover against defendants under Cal. Bus. & Prof.

14 Code §17200 et seq.;

15 (e) Whether plaintiff can recover against defendants under Labor Code § 220;

16 and

17

17 (f) Whether defendant Paul Sridhar is personally liable for any action by
18 defendant Cyber Solutions.

19 4. The other factual issues which remain unresolved: None at this time.

20 5. The parties which have not been served and why: defendant Paul Sridhar because
21 defendant Cyber Solutions is unaware of his existence.

22 6. The additional parties which the below-specified parties intend to join and the
23 intended time frame for such joinder: Plaintiff will join Defendants who had control of
24 the work and pay of Plaintiff.

25 7. The parties have not consented to assignment of this case to a United States
26 Magistrate Judge for jury trial.

ALTERNATIVE DISPUTE RESOLUTION

28 8. The parties filed a Notice of Need for ADR Phone Conference and the phone

1 conference was held on or is scheduled for: Not applicable.

2 9. Other information regarding ADR process or deadline: Both Parties agree to
3 participate in the Court sponsored mediation.

4 **DISCLOSURES**

5 10. The parties certify that they have made the following disclosures: Plaintiff and
6 Defendants have not yet exchanged their Initial Disclosure Statements pursuant to Rule 26.
7 We will exchange initial before or at the Case Management Conference.

8 **DISCOVERY**

9 11. Defendants propose following discovery plan:

- 10 (a) Each party may take up to three depositions.
11 (b) Each party shall be entitled to propound written interrogatories per the
12 federal rules;
13 (c) Each party may propound requests for production of documents or things per
14 the federal rules;
15 (d) Each party may propound requests for admissions per the federal rules;
16 (e) Fact discovery cutoff 60 days before trial;
17 (f) Expert disclosures and reports due 60 days before trial;
18 (g) Experts rebuttal reports 45 days before trial;
19 (f) Expert deposition to be completed 30 before trial;
20 (g) Last day of hearing on dispositive motions 15 days before trial;
21 (h) The parties agree to meet and confer concerning any modifications to this
plan.

22 **TRIAL SCHEDULE**

23 12. Defendants request a trial date in winter of 2008.

24 13. Defendants expect that the trial will last for 2 days.

25 Dated: February 29, 2008

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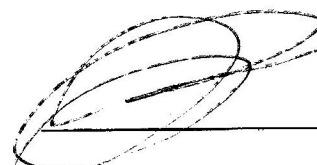
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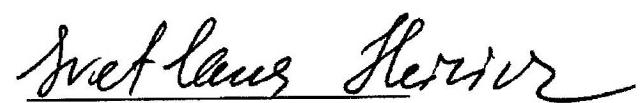
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